

ASSEMBLY BILL

No. 1066

Introduced by Assembly Member Cardenas

February 25, 1999

An act to amend Section 330.1 of the Penal Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

AB 1066, as introduced, Cardenas. Gambling: slot machines.

(1) Existing law provides that every person who manufactures, owns, stores, keeps, possesses, sells, rents, leases, lets on shares, lends or gives away, transports or exposes for sale or lease or offers to sell, rent, lease, let on shares, lend or give away or who permits the operation or placement within property under his or her control, any slot machine or device, as defined, and thereby receives or becomes entitled to receive anything of value, as defined, is guilty of a misdemeanor and shall be punishable by a fine of not more than \$1,000, by imprisonment in a county jail not exceeding 6 months, or by both that fine and imprisonment.

This bill would additionally provide that every person who assembles any slot machine or device, as defined, and thereby receives or becomes entitled to receive anything of value, is guilty of a misdemeanor and shall be punishable by a fine of not more than \$1,000, by imprisonment in a county jail not exceeding 6 months, or by both that fine and imprisonment. By creating a new crime, this bill impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 330.1 of the Penal Code is
2 amended to read:
3 330.1. Every person who manufactures, *assembles*,
4 owns, stores, keeps, possesses, sells, rents, leases, lets on
5 shares, lends or gives away, transports or exposes for sale
6 or lease or offers to sell, rent, lease, let on shares, lend or
7 give away or who permits the operation of or permits to
8 be placed, maintained, used or kept in any room, space or
9 building owned, leased or occupied by him or under his
10 management or control, any slot machine or device as
11 hereinafter defined, and every person who makes or
12 permits to be made with any person any agreement with
13 reference to any slot machine or device as hereinafter
14 defined, pursuant to which agreement the user thereof,
15 as a result of any element of hazard or chance, may
16 become entitled to receive anything of value or
17 additional chance or right to use ~~such~~ *that* slot machine
18 or device, or to receive any check, slug, token or
19 memorandum, whether of value or otherwise, entitling
20 the holder to receive anything of value, is guilty of a
21 misdemeanor and shall be punishable by a fine of not
22 more than one thousand dollars (\$1,000) or by
23 imprisonment in ~~the~~ *a* county jail not exceeding six
24 months, or by both ~~such~~ *that* fine and imprisonment. A
25 slot machine or device within the meaning of Sections
26 330.1 to 330.5, inclusive, of this code is one that is, or may
27 be, used or operated in such a way that, as a result of the
28 insertion of any piece of money or coin or other object
29 ~~such~~ *that* machine or device is caused to operate or may

1 be operated or played, mechanically, electrically,
2 automatically or manually, and by reason of any element
3 of hazard or chance, the user may receive or become
4 entitled to receive anything of value or any check, slug,
5 token or memorandum, whether of value or otherwise,
6 which may be given in trade, or the user may secure
7 additional chances or rights to use ~~such~~ *that* machine or
8 device, irrespective of whether it may, apart from any
9 element of hazard or chance also sell, deliver or present
10 some merchandise, indication of weight, entertainment
11 or other thing of value.

12 SEC. 2. No reimbursement is required by this act
13 pursuant to Section 6 of Article XIII B of the California
14 Constitution because the only costs that may be incurred
15 by a local agency or school district will be incurred
16 because this act creates a new crime or infraction,
17 eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section
19 17556 of the Government Code, or changes the definition
20 of a crime within the meaning of Section 6 of Article
21 XIII B of the California Constitution.

